

HCSOC
NEW YORK TIMES

DATE

JAN 78

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Aide to Ethics Committee Says It Will Specify Terms of Park Testimony

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Special to The New York Times

WASHINGTON, Jan. 9—A senior attorney for the House ethics committee asserted today that the committee would direct Tongsun Park to testify in open session and without restrictions on questions if he returned to the United States.

Peter White, deputy special counsel for the committee, said in an interview, "We want to make clear that if he comes back here, we will subpoena him, and the terms and conditions under which he testifies will be determined by the committee, not by him."

Mr. White, speaking for Leon A. Jaworski, the special counsel, said that "we cannot use Mr. Park as a witness and not have him testify publicly." The Korean businessman is wanted as a key witness in the committee's investigation into alleged corruption of Congressmen by Mr. Park and other Korean agents.

Mr. White spoke in response to overtures from William Hundley, Mr. Park's American attorney, who was quoted in

news dispatches from Seoul this morning as saying that he would recommend to his client that he appear in closed sessions before Congressional investigating committees.

Conflicting Interests of Inquiries

Mr. Hundley is in Seoul to advise Mr. Park, once allegedly a Korean agent in Washington, as he undergoes interrogation by officials of the Justice Department under an agreement they have reached with the South Korean Government.

The trans-Pacific debate between Mr. Hundley and Mr. White has made plain the conflicting interests of the Justice Department and the ethics committee, which is formally known as the House Committee on Standards of Official Conduct, in their inquiries into the Korean scandal here.

The Justice Department's responsibility is limited to criminal prosecutions of perhaps a half-dozen former and current Congressmen. The department has agreed that it would bring Mr. Park to the Uni-

ted States to testify only as a witness in court, excluding even appearances before a grand jury.

Moreover, the Justice Department can afford to take whatever time is needed to build a case in court. The trials of two men indicted in the scandal—former Representative Richard T. Hanna, Democrat of California, and Hancho C. Kim, a Korean-American businessman—had been scheduled to begin today. Today Mr. Hanna's trial was postponed until March 20; Mr. Kim's trial was previously delayed until Feb. 27.

In contrast, the mandate of the ethics committee is much broader, covering not only alleged criminal actions, but also many shades of constitutional violations, breaches in standards of official conduct and ruptures of the public trust. About 50 sitting Congressmen are under scrutiny by the committee.

The ethics committee has also been under political pressure to complete its investigation before next fall's Congressional elections, when the allegations could become a campaign issue.

Compounding that conflict are the interests of the South Korean Government, which wants the investigations ended without exposing any involvement of President Park Chung Hee's Government in a covert effort to manipulate American policy.

The opponents of President Park, who is not related to Tongsun Park, would undoubtedly like to use the issue to try to topple him from power. President Park also faces an election late this year and the scandal here could be embarrassing even though he controls the electoral machinery.

Testimony Not Negotiable

Mr. White, in the interview today, indicated that, while the committee would be flexible in arranging the timing of Mr. Park's appearance before the committee, receiving his testimony in a publicly usable form was not negotiable.

He noted that it would be quicker if the Korean Government acceded to the committee's request that the committee

be given the same access to Mr. Park that the Justice Department has. But, he repeated, "It will be us, not Tongsun Park or the South Korean Government, that will dictate the conditions under which he will testify."

As with most witnesses in the ethics committee's inquiry, Mr. Park would probably be questioned first in closed session. The rules of the House require that potentially defamatory information about a member of Congress be heard in an executive session, with the accused given a chance to rebut the allegations. Then, the committee decides whether the evidence warrants a public committee.

Mr. White disagreed with Mr. Hundley's assertion that Mr. Jaworski had taken an "unreasonably hard line" in his demand for equal access for the committee to Tongsun Park. He also said that the committee would not infringe on the rights of any defendants in criminal cases, a concern expressed by Mr. Hundley.

"The Justice Department and Mr. Hundley are jumping the gun, in my opinion," Mr. White said. He noted that Mr. Park would be available to testify only

against Mr. Hanna and possibly Mr. Kim under the agreement that the Justice Department had made with South Korea.

The committee attorney also disagreed with the South Korean contention that the South Korean Government had made an agreement with the United States Government concerning Mr. Park's testimony.

"The South Koreans made a deal with one compartment of the United States Government while excluding the legislative compartment, with the branch that is most interested in this matter," Mr. White said. He said that a fundamental issue, which had aroused much skepticism, was whether Congress could accomplish a successful investigation of itself.